

**Approved Minutes of Public Hearing Of Egremont Planning Board  
Regarding Application for a Special Permit at 91 Hillsdale Rd,  
Owners Bruce Mallory and Jocelyn Gordon  
Held at 5PM, Wednesday October 6th, 2021**

Present 100% Zoom

Jared Kelly  
Matthew Bersani  
Mary McGurn  
Eddie Regendahl  
Stephen Lyle

Bruce Mallory  
Marjorie Wexler  
Eileen Vining

Called to order 5:07 PM

Chair read notice of public hearing into the record:

Egremont Planning Board will hold a public hearing on Wednesday, October 6th, 2021, at 5PM to consider the application for a special permit filed by Jocelyn Gordon & Bruce Mallory to permit the renovation of an existing structure to use as an Accessory Dwelling Unit (ADU) located at 91 Hillsdale Road, as allowed by Egremont Zoning Bylaw 4.1.12, 4.1.13.a.i.v, 4.1.2.3.1 & 6.2.

Required findings (i) through 8 of section 4123c subsection 5 and other requirements were all met or waived:

ADU is the only ADU on lot

The other structure is the single-family home

345 sf on first floor of ADU

835 sf on second floor of ADU

Total proposed footage of ADU 1180

ADU is in same ownership as all other buildings on the lot

Is not a mobile home

Only one dwelling to be rented at a time

Is not going to be a business, nor is there another business on the land

Buildings and new septic are setback from wetlands 100 ft. or more. Planning Board to confer with Egremont Conservation Commission if they need to review the application

624.1 requires that application complies with bylaws and is in harmony with their intent and purpose

624.2 is deemed essential or desirable to the public convenience

624.3 not detrimental adjacent use or neighborhood to character

624.4 will not impede traffic or pedestrian safety

624.5 ADU will not overload municipal water or drainage or sewer system. Property is on private well and single septic. Main house and ADU both on said systems. The new septic is sized for 6 bedrooms, five in Main House and one in ADU.

Section 4.5 subsection E permits PB and any citizens present to speak

All in favor: No citizens spoke

Any in opposition: No citizens spoke

Notice has gone out to abutters

Berkshire Eagle notice will be verified at continuation of hearing.

Mary McGurn asked if rental was to be long or short term. Owner anticipates renting short term as Airbnb 100 to 150 days a year, when not in personal use.

No negative comments from either citizens or board members.

Section 3.3 (D) of Egremont Rules and Regulations. The Board voted to waive the requirements in section 3.3 (D) as not relevant in this case. 5-0

Chair moved to continue Public Hearing to October 14 at 9:45 to make sure notices were placed properly in Berkshire Eagle, and to be sure the Conservation Commission does not need to sign off on the wetlands that are in proximity.

Motion to continue the hearing carried 5-0

Meeting adjourned 5:40

**Approved Minutes of CONTINUATION of Public Hearing Of Egremont Planning Board  
Regarding Application for a Special Permit at 91 Hillsdale Rd,  
Owners Bruce Mallory and Jocelyn Gordon  
Held at 9:45 AM, Thursday October 14th, 2021**

100% Zoom

Present:

Jared Kelly

Mary McGurn

Stephen Lyle

Matthew Bersani

Lucinda

Lorna Kane 99 Hillsdale Road abutter attended

Notices:

PROPER Notices did go Berkshire Eagle in on Sept 21 and 28th

David Seligman of the Egremont Conservation Commission has reviewed and believes that proposed ADU is not within wetlands buffer zone.

Chair made special permit findings regarding section 6.2 of the Zoning Bylaw and moved that the Planning Board approve the special permit application as all zoning requirements have been met. The motion to approve the Mallory-Gordon Special Permit Application passed 4-0.

Motion to close hearing was passed 4-0 at 10AM